

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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GENOMETRICA RESEARCH, INC., THE  
RESEARCH FOUNDATION OF THE STATE  
UNIVERSITY OF NEW YORK,

Plaintiff,

- against -

BORIS GORBOVITSKI, VERA GORBOVITSKI,  
ADVANCED BIOMEDICAL MACHINES, INC.,

Defendants.

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VERA GORFINKEL,

Plaintiff,

-against-

RALF VAYNTRUB, INVAR CONSULTING LTD.,  
GENOMETRICA LTD., AND GENOMETRICA  
RESEARCH, INC.,

Defendants.

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**ORDER OF APPOINTMENT  
OF AND REFERENCE TO  
SPECIAL MASTER**

CV 11-5802 (PKC) (AKT)  
(Consolidated)

CV 13-3093 (PKC) (AKT)  
(Consolidated)

**A. KATHLEEN TOMLINSON, Magistrate Judge:**

Pursuant to this Court's inherent equitable powers and in accordance with Rule 53 of the Federal Rules of Civil Procedure, it is hereby

ORDERED, that Patrick M. McKenna, Esq., a member of the bar of this Court, be and hereby is appointed Special master in this case for the purposes declared herein and to take the actions set forth in accordance with this Order; and it is further

ORDERED, that the Special Master shall have broad plenary powers to take all steps necessary or desirable, pursuant to Fed. R. Civ. P. 53 to:

1. hear, consider and adjudicate all pending discovery disputes between the parties to these consolidated actions;
2. report back to the Court on the specific disposition of those issues; and
3. take such further or additional action that the Court may direct and instruct the Special Master to undertake.

It is further

ORDERED, that the Special Master is to undertake the actions set forth in this Order with all due dispatch, and with the objective of making a final report back to the Court as to the resolution of these issues within 90 days, by May 12, 2014 (or earlier if the purpose of the appointment has been completed ), or to advise the Court of any circumstances which prevent his reporting by that date; and it is further

ORDERED, that the compensation of the Special Master shall be at his regular hourly rate and shall be assessed against the parties in equal shares as the parties were previously informed by the Court. The compensation shall be in the manner directed by the Court and shall be paid at such times as directed by the Court; and it is further

ORDERED, that as the Special Master has requested, the Special Master shall contact the parties to arrange to receive the materials needed to perform his appointed duties and to schedule meeting times with the parties.

**SO ORDERED.**

Dated: Central Islip, New York  
February 10, 2014

/s/ A. Kathleen Tomlinson  
A. KATHLEEN TOMLINSON  
U.S. Magistrate Judge